

THE NEW YORK TIMES

JUNE 26, 2013, 2:21 PM

Green Cards and Marriage Equality

By LAWRENCE DOWNES

The demise of the Defense of Marriage Act is wonderful news for tens of thousands of couples who have been denied equal treatment by the immigration system. As long as DOMA has held sway, American citizens and legal permanent residents have not been allowed to sponsor their same-sex spouses for green cards.

That will change now, though there were reports on Twitter this afternoon that officials at Citizenship and Immigration Services, the agency that handles such paperwork, hadn't yet gotten the memo from headquarters, and were still opposing immigration petitions filed by same-sex couples. Others were reporting that an immigration judge in New York City had halted the deportation of a Colombian man married to an American.

It will take some time for the system to adjust, but it will adjust. The roughly 28,000 binational same-sex couples are surely celebrating this decision. They won't have to fear or fight deportation. Families will be reunited, suspended lives and careers will now go forward.

The Supreme Court's decision was good news, too, for the immigration bill moving steadily to passage in the Senate. It renders moot an amendment sponsored by Senator Patrick Leahy of Vermont, chairman of the Judiciary Committee, to treat all married couples equally for the purposes of family-based immigration. When that amendment came up last month in the Judiciary Committee, Republicans declared it a deal-killer, a poison pill. They said that if it passed they would withdraw their support for the entire bill, and the bipartisan coalition for immigration reform would collapse.

Mr. Leahy reluctantly withdrew the amendment, but not before several Democrats, including Charles Schumer of New York, had to give tortured speeches explaining why, in this special case, they opposed equality for same-sex couples, because they said it would have brought immigration reform to a halt. ("I'm a politician," Mr. Schumer said, pleadingly.)

Leahy amendment or no, the bill still has to pass the Senate and get through the House, where a hard core of Republicans are opposed to legalizing anybody, gay or straight. The struggle for recognition and rights continues, especially for L.G.B.T. immigrants, for whom "coming out" and living in the shadows has a powerful double meaning. For them, victory is nearer, but not yet won.

<http://takingnote.blogs.nytimes.com/2013/06/26/green-cards-and-marriage-equality/>